

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2012

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

FIFTY-THIRD DAY

APRIL 20, 2012

OFFICE OF THE CHIEF CLERK

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FIFTY-THIRD DAY

Friday, April 20, 2012

Rep. Nakashima
Rep. Yamane

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:37 o'clock a.m., with Speaker Say presiding.

The invocation was delivered by Mr. Milton Mikishi's 2nd Grade Class of Maryknoll Elementary School, including Daniel Yamane, Son of Representative Ryan Yamane, after which the Roll was called showing all Members present.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-First and Fifty-Second Days was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 238 and 1129) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 238, dated April 16, 2012, transmitting the Relating to the State Budget Quarterly Report on the progress made of all DOE's CIP appropriations, prepared by the Department of Education pursuant to Act 164, Section 47, SLH 2011.

Gov. Msg. No. 1129, informing the House that on April 19, 2012, the following bill was signed into law:

H.B. No. 2600, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES." (ACT 029)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 766 through 768) were received and announced by the Clerk:

Sen. Com. No. 766, dated April 19, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1726, Gabbard, Chair; Ige, Co-Chair; Ihara
HD 1, SD 2

H.B. No. 2078, Kouchi, Chair; Baker, Co-Chair; Kahele
HD 2, SD 2

Sen. Com. No. 767, dated April 19, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

H.B. No. 1875, Senator Taniguchi discharged as conferee and
HD 2, SD 2 Senator Kidani added as conferee.

Sen. Com. No. 768, dated April 19, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following House Bill:

H.B. No. 1980 Ige, Chair; Fukunaga, Kidani, Slom
HD 1, SD 1

INTRODUCTIONS

The following introductions were made to the Members of the House:

REMARKS DELIVERED: Rep. Mizuno
Rep. Pine
Rep. Marumoto

At 11:52 o'clock a.m. Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:12 o'clock p.m.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1788-12), recommending that H.R. No. 151, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 151, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN UPDATE OF THE HAWAII ENERGY FORUM'S REPORT ON LIQUEFIED NATURAL GAS OPTIONS FOR THE STATE," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Wooley, for the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1789-12), recommending that S.C.R. No. 57, SD 2, be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 57, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ESTABLISH A WORKING GROUP TO DEVELOP RECOMMENDATIONS REGARDING THE ADMINISTRATIVE PLACEMENT OF THE STATE FOUNDATION ON CULTURE AND THE ARTS," was referred to the Committee on Finance, with Representative Saiki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1790-12), recommending that S.C.R. No. 34, SD 1, as amended in HD 1, be referred jointly to the Committee on Finance and the Committee on Legislative Management.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 34, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AUDITS OF STATE DEPARTMENT OPERATIONS THAT RESULT IN HIGH NON-BASE COMPENSATION OF STATE EMPLOYEES, PAY FOR NOT WORKING, AND SALARY OVERPAYMENTS," was referred jointly to the Committee on Finance and the Committee on Legislative Management, with Representative Saiki being excused.

Representatives Nishimoto and McKelvey, for the Committee on Higher Education and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1791-12), recommending that S.C.R. No. 36, SD 2, be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.C.R. No. 36, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A PLAN TO EXAMINE THE LONG-TERM USES OF THE HAWAII FILM STUDIO DIAMOND HEAD CAMPUS," was referred to the Committee on Water, Land, & Ocean Resources, with Representative Saiki being excused.

Representatives Coffman and Awana, for the Committee on Energy & Environmental Protection and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1792-12) recommending that S.C.R. No. 162, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.C.R. No. 162, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO REQUEST THAT THE DIRECTOR OF THE OFFICE OF GLOBAL CHANGE OF THE UNITED STATES DEPARTMENT OF STATE PROPOSE TO THE CONFERENCE OF PARTIES FOR THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE THAT THE UNITED STATES HOST THE 2015 UNITED NATIONS CLIMATE CHANGE CONFERENCE IN HONOLULU, HAWAII," was adopted, with Representative Saiki being excused.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Saiki was excused.)

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Saiki was excused.)

H.B. No. 297, HD 1, (SD 1)
H.B. No. 626, (SD 1)
H.B. No. 1671, HD 2, (SD 2)
H.B. No. 1754, HD 1, (SD 1)
H.B. No. 1967, HD 2, (SD 2)
H.B. No. 2169, HD 2, (SD 1)
H.B. No. 2374, (SD 1)
H.B. No. 2454, HD 1, (SD 1)
H.B. No. 2574, HD 1, (SD 1)

REMARKS DELIVERED: Speaker Say

H.B. No. 2656, HD 2, SD 2:

By unanimous consent, action was deferred one legislative day.

H.B. No. 297, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 297, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES FEE," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 626, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 1671, HD 2, SD 2:

Representative Chong moved that H.B. No. 1671, HD 2, SD 2, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ching
Rep. Ward
Rep. Marumoto

Rep. Thielen
Rep. Choy

TO BE INSERTED: Rep. Ching
Rep. Choy
(Submit by Wednesday, April 25)

The motion was put to vote by the Chair and carried, and H.B. No. 1671, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 1754, HD 1, SD 1:

Representative Chong moved that H.B. No. 1754, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ching

TO BE INSERTED: Rep. Ching
(Submit by Wednesday, April 25)

The motion was put to vote by the Chair and carried, and H.B. No. 1754, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 1967, HD 2, SD 2:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 1967, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CLAIM CONCILIATION," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2169, HD 2, SD 1:

Representative Chong moved that H.B. No. 2169, HD 2, SD 1, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Choy
Speaker Say

The motion was put to vote by the Chair and carried, and H.B. No. 2169, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2374, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2374, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2454, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2454, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

H.B. No. 2574, HD 1, SD 1:

Representative Chong moved that H.B. No. 2574, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Awana

The motion was put to vote by the Chair and carried, and H.B. No. 2574, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS," passed Final Reading by a vote of 50 ayes, with Representative Saiki being excused.

At 12:18 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 297, HD 1, SD 1
H.B. No. 626, SD 1
H.B. No. 1671, HD 2, SD 2
H.B. No. 1754, HD 1, SD 1
H.B. No. 1967, HD 2, SD 2
H.B. No. 2169, HD 2, SD 1
H.B. No. 2374, SD 1
H.B. No. 2454, HD 1, SD 1
H.B. No. 2574, HD 1, SD 1

SUSPENSION OF RULES

REMARKS DELIVERED: Speaker Say

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representative Saiki was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representative Saiki was excused.)

H.B. No. 1524, HD 2, (SD 2)
H.B. No. 2242, HD 1, (SD 1)
H.B. No. 2264, HD 2, (SD 1)
H.B. No. 2266, HD 1, (SD 1)
H.B. No. 2273, (SD 1)
H.B. No. 2296, HD 1, (SD 1)
H.B. No. 2429, HD 1, (SD 1)
H.B. No. 2491, HD 1, (SD 1)

ANNOUNCEMENTS

REMARKS DELIVERED: Rep. Thielen
Rep. Ching
Rep. Hanohano
Rep. C. Lee

ADJOURNMENT

At 12:30 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Monday, April 23, 2012. (Representatives Belatti and Saiki were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2703, Tsuji/Oshiro, Co-Chrs.;
HD 2, SD 2 Riviere

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and

Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 70, Cabanilla/Mizuno/Kawakami, Co-Chrs.;
HD 2, SD 1 Pine

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 596, Yamane/Nishimoto/Morikawa, Co-Chrs.;
SD 2, HD 1 Nakashima, Saiki, Pine

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2319, Added Representative Yamashita as a member.
HD 2, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 1524, Discharged all conferees.
HD 2, SD 2

H.B. No. 2296, Discharged all conferees.
HD 1, SD 1

H.B. No. 2429, Discharged all conferees.
HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2491, Discharged all conferees.
HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 1524, HD 2, SD 2
H.B. No. 2242, HD 1, SD 1
H.B. No. 2264, HD 2, SD 1
H.B. No. 2266, HD 1, SD 1
H.B. No. 2273, SD 1
H.B. No. 2296, HD 1, SD 1
H.B. No. 2491, HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 27, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2429, HD 1, SD 1

House Communication dated April 20, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day

agreed to the amendments made by the Senate and passed the following
House Bills on Final Reading:

H.B. No. 297, HD 1, SD 1
H.B. No. 626, SD 1
H.B. No. 1671, HD 2, SD 2
H.B. No. 1754, HD 1, SD 1
H.B. No. 1967, HD 2, SD 2
H.B. No. 2169, HD 2, SD 1
H.B. No. 2374, SD 1
H.B. No. 2454, HD 1, SD 1
H.B. No. 2574, HD 1, SD 1